

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

SNAP-ON BUSINESS SOLUTIONS, INC. )  
Plaintiff, ) CASE NO. 5:09-CV-01547-JG  
v. )  
JUDGE JAMES S. GWIN  
O'NEIL & ASSOCIATES, INC. )  
Defendant. ) **NOTICE OF PLAINTIFF THAT IT**  
 ) **DOES NOT OPPOSE DEFENDANT'S**  
 ) **MOTION IN LIMINE REGARDING**  
 ) **THE EXPERT TESTIMONY OF GREG**  
 ) **FEEZEL**

Plaintiff Snap-on Business Solutions, Inc. hereby gives notice to the Court and Defendant O'Neil & Associates, Inc. that it does not oppose O'Neil's *Motion In Limine To Preclude Gregory Feezel From Expressing Expert Opinions At Trial* [Doc. 98]. So long as Mr. Feezel is permitted to testify as a fact witness at trial, Snap-on will agree to not refer to Mr. Feezel as an expert witness or to elicit improper expert opinions. Snap-on reserves the right to elicit proper lay opinion testimony from Mr. Feezel based on his personal knowledge of the facts of this case and the "particularized knowledge relating to his job" as acknowledged by O'Neil. [Doc. 98 at p. 3.]

Respectfully submitted,

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*Counsel for Plaintiff Snap-on Business Solutions, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 15th day of May, 2010, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following counsel by operation of the Court's electronic filing system.

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